

Warren Commission Report Attacked by Three Authors

INQUEST: THE WARREN COMMISSION AND THE ESTABLISHMENT OF TRUTH. By Edward J. Epstein. The Viking Press, 224 pp. \$5.

RUSH TO JUDGMENT. By Mark Lane. Holt, Rinehart and Winston, 478 pp. \$135.

THE OSWALD AFFAIR: AN EXAMINATION OF THE CONTRADICTIONS AND OMISSIONS OF THE WARREN REPORT. By Leo Sauvage. The World Publishing Company, 418 pp. \$6.95.

The story of the assassination of President Kennedy on Nov. 22, 1963, as been the subject of numerous magazine articles, books, movie films and lectures, as well as official investigations. Most prominent among the myriad of opinions, conjectures and speculations is the report of the commission headed by Chief Justice Warren of the Supreme Court of the United States.

The Warren Commission Report has been almost universally accepted as truth, but not quite. In the minds of many compe-

tent legalists, astute journalists and objectively minded writers, the report of the Warren Commission is open to attack on various grounds.

Indisputable proof that Lee Oswald, operating as a lone wolf, fired the shots that killed the president and wounded Governor Connally has yet to be established. On the question of motive there is no conclusive evidence. Oswald, the presumed assassin, is dead at the hands of one Jack Ruby.

From three independent sources, in the volumes here reviewed, come critiques of the Warren Commission Report that cast grave doubt upon the va-

lidity of its findings in the light of the evidence that was admitted to record. To Edward J. Epstein in "Inquest," to Mark Lane in "Rush to Judgment," and to Leo Sauvage in "The Oswald Affair," the Lee Oswald case is far from being closed.

These authors find specific grounds for adverse comment on the manner in which the Warren Commission ordered its proceedings. While these authors do not question the personal integrity of the commission members, they all point out the failure of the commission to admit to evidence the testimony of certain eyewitnesses and others who offered to testify.

Lane, who offered to appear before the commission as counsel on behalf of the deceased Oswald, was denied that opportunity. Had this privilege been granted to him it is quite clear that the lone wolf theory which was accepted by the commission might have been shot to pieces.

Lane says: "In the face of irrefutable testimony showing that at least four shots were fired, the commission held that just three had been fired. Clearly, if Oswald was the lone assassin and if he employed the rifle the commission claimed he had, it would have been impossible for him to have fired more than three shots in less than six seconds."

The FBI firearms expert who tested the weapon testified that a period of more than three seconds is required in order to reload and re-aim the weapon.

Thus, Lane strongly implies that more than one man was involved in the actual firing. The commission report rejects the theory that the assassination was part of a conspiracy.

"The force of the evidence," says Lane, "is inescapable—the case against Oswald as the lone

assassin is refuted by the very witnesses upon whom the commission relied. The FBI report devastates the commission's conclusion that all of the shots were fired from the rear and that they were fired by a lone assassin."

Epstein's indictment of the commission's report is more mildly written. He has established, at least to his own satisfaction, proof that the commission "sincerely convinced that the national interest would best be served by the termination of rumors, and predisposed by its

makeup and by the pressure of time not to search more deeply, failed to answer some of the questions about the tragedy."

In tempered language Epstein portrays the ways in which the commission hampered its own investigating staff by arbitrary instructions that denied them the privilege of pursuing their inquiries on relevant matters.

Sauvage, who is American correspondent for the Paris newspaper *Le Figaro*, minces no words in pointing out the flimsy fabric of the testimony upon which the Warren report was based. He heartily condemns the conclusions summarily arrived at by the Dallas police naming Oswald as the lone assassin of the president.

He further assails the commission in its failure to permit any cross examination of witnesses whose testimony tended to fix the guilt upon Oswald. Moreover, upon an on-the-spot check of the building from which the shots were allegedly fired, he is convinced that had Oswald lived and been brought to a fair trial he could have established an excellent alibi that he was not the assassin.

Sauvage says: "I find nothing to show that Oswald was the assassin of President Kennedy . . . At the same time the com-



United Press International Photo

Lee Harvey Oswald is pictured in custody in Dallas after his arrest following the assassination of President Kennedy on Nov. 22, 1964. This is an illustration from Mark Lane's 'Rush to Judgment.'

mission turns the other way when it comes to examining any situation that could set it on a trail not leading to Lee Harvey Oswald . . . In any case no official agency in the United States has the right to contend there was no evidence suggesting that someone other than Oswald was the assassin, because no official agency in the United States ever tried to find such evidence or even condescended to look at it when it was spread out before its eyes."

It would take more than a Sherlock Holmes to unravel the many strings attaching to the incongruities and apparent contradictions in the Warren Commission Report and the 25 volumes of testimony and finding on which the report was presumably based.

"Inquest," "Rush to Judgment" and "The Oswald Affair" were written by men who probably spent more time in an objective study of the testimony and evidence than did any single member of the Warren Commission. They present their critiques in a manner that makes them ring with probity and leaves little room for a flat denial that one or more persons other than Oswald were "in the know" on the assassination.

Inferentially, if not specifically, all three authors have left much room to believe that if, indeed, Oswald was an assassin, his were not the only shots that were fired at the occupants of the president's car on that fateful autumn afternoon in Dallas, Tex.

The incident of the tragedy has become history. The unblemished account of what actually took place if known to any living person has yet to be written. The Warren Commission did not produce it.

—WILLIAM H. STAUFFER.